

COMMITTEE ON WAYS AND MEANS  
SUBCOMMITTEE ON TRADE  
SUBCOMMITTEE ON WORKER & FAMILY SUPPORT

BLUE DOG COALITION  
CO-CHAIR FOR ADMINISTRATION

FUTURE FORUM  
CHAIR



CONGRESSWOMAN STEPHANIE MURPHY  
U.S. HOUSE OF REPRESENTATIVES  
FLORIDA, 7TH DISTRICT

WASHINGTON OFFICE  
1710 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-4035

ORLANDO OFFICE  
225 E ROBINSON ST., SUITE 525  
ORLANDO, FL 32801  
(888) 205-5421

SANFORD OFFICE  
110 W FIRST ST., SUITE 210  
SANFORD, FL 32771  
(888) 205-5421

April 8, 2020

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives

The Honorable Kevin McCarthy  
Republican Leader  
U.S. House of Representatives

The Honorable Steny H. Hoyer  
Majority Leader  
U.S. House of Representatives

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate

The Honorable Charles E. Schumer  
Democratic Leader  
U.S. Senate

Dear Leaders:

I want to thank you for your bipartisan leadership, which enabled Congress to enact three measures in the span of three weeks to combat COVID-19. As we consider additional bills, I write to respectfully request that we use this opportunity to enhance the employee retention tax credit (Section 2301 of the *CARES Act*) and the Emergency Family and Medical Leave Expansion Act (Division C of the *Families First Coronavirus Response Act*, as amended by Title III, Part IV, Subtitle C of the *CARES Act*). I was deeply involved in developing these two provisions. While they are good, they should be further strengthened.

On the employee retention tax credit, I urge you to consider the following steps: (1) increase the wage subsidy above 50 percent of qualified wages; (2) increase the per-employee qualified wage cap above \$10,000; (3) expand the definition of “eligible employer”; (4) adjust the definition of “qualified wages” as applied to employers with over 100 employees; (5) eliminate or modify the provision that prohibits an employer from both claiming the credit and receiving funding under the Paycheck Protection Program (Section 1102 of the *CARES Act*); and (6) adjust the 30-day limitation in subsection (c)(3)(B) to ensure that employer payments to tipped restaurant workers are creditable.

These changes would make the ERTC more useful to businesses and workers, minimizing the number of workers who are forced to seek unemployment benefits. During this crisis, it is critical to keep as many workers as possible tethered to their jobs, where they can continue to receive employer-sponsored health coverage and at least some portion of their previous salary or wages.

On emergency family and medical leave, the law we enacted—justifiably—provides extended paid leave to workers who must stay home to care for a child whose school or day care has closed. However, unlike the bill I filed on March 11, 2020, H.R. 6198, the *Emergency Paid Leave Act*, the law excludes workers who have COVID-19; who are quarantined at the instruction of a doctor, employer, or public health official; or who must stay home to care for a family member affected by COVID-19. This is not sound policy. Sick—or potentially sick—workers without access to paid leave are more likely to report to work and infect others because staying home could mean economic ruin. During this emergency, I hope we can reasonably expand eligibility for extended paid leave to include some or all of these additional categories of workers.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steph', with a stylized flourish extending to the right.

Stephanie Murphy  
Member of Congress

cc: Hon. Richard Neal, Chairman, House Committee on Ways and Means  
Hon. Kevin Brady, Ranking Member, House Committee on Ways and Means  
Hon. Robert C. “Bobby” Scott, Chairman, House Committee on Education and Labor  
Hon. Virginia A. Foxx, Ranking Member, House Committee on Education and Labor